

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: _____x

Case No. 12-12020-mg

RESIDENTIAL CAPTIAL, LLC aka
RESIDENTIAL CAPITAL CORPORATION,

Debtor.

Related Consolidated Cases:
12-12019 through 12-12040
12-12042, 12-12066, 12-12068
& 12-12071

Chapter 11

_____x

AFFIDAVIT OF JULIE JOHNSON

I, Julie Johnson, being duly sworn, state:

1. As to the following facts, I know them to be true of my own personal knowledge, and if called upon to testify in this action, I could and would testify competently thereto.

2. I am the employee of SN Servicing Corporation, servicing agent on behalf of Wachovia Bank National Association, as Trustee of the Security National Mortgage Loan Trust 2004-2 who is most familiar with the subject first mortgage loan in favor of Secured Creditor herein, and the ongoing bankruptcy litigation herein.

3. The subject real property securing said first mortgage loan is generally described as **517 Gibbs Street, Plainfield, Indiana 46168**.

4. That on or about May 14, 2012, the junior lienholder holding a personal property interest under a Note and Mortgage filed a jointly administered and consolidated cases Chapter 11 Petition in Bankruptcy with this Court.

5. Debtor, as a lending and mortgage servicing entity appears to have a personal property interest in the junior lien and Note in regard to property generally described as **517 Gibbs Street, Plainfield, Indiana 46168**, and the Note appears to be an asset of the joint Debtor case. A true and correct copy of the Schedules A and D of Schedules filed in a prior case by Debtors Jerry Wayne Pardue, Sr and Linda Joy Pardue in Bankruptcy Case No. 11-00447-AJM7

in the Indianapolis, Indiana Bankruptcy Court, is attached hereto as **Exhibit "A"**, and Movant requests the Court take Judicial Notice pursuant to Federal Rules of Evidence 201 of the alleged junior lien of Debtors against the Plainfield property.

6. This Secured Creditor is the payee of the mortgage note dated August 20, 1997 in the principal amount of \$89,600.00 which is secured by the above-referenced mortgage, attached hereto as **Exhibit "B"** and made a part hereof.

7. The above Debtors filed the joint cases on May 14, 2012, and appears to have a junior lien and Note in regard to property generally described as **517 Gibbs Street, Plainfield, Indiana 46168** as an asset in the jointly administered cases.

8. With respect to Secured Creditor's mortgage, the following is due and owing:

Unpaid Principal Balance:	\$ 79,981.13
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Arrearages:

Monthly Payments from October 1, 2008 through August 1, 2012 at \$737.12	\$ 34,644.64
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Late Charges	\$ 1,806.14
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Prior Attorneys' Fees	\$ 1,850.00
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Foreclosure Expenses	\$ 2,480.00
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Legal Expenses	\$ 150.00
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Force Place Insurance	\$ 1,635.88
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Fax Fees	\$ 20.00
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Force Place Insurance	\$ 2,795.56
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Rush Fees	\$ 20.00
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Property Taxes Current	\$ 1,696.00
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Property Taxes Delinquent	\$ 12,643.53
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Attorneys' Fees \$ 826.00

Total Delinquencies \$ 60,567.75

9. The commercially reasonable value of the Property is approximately \$87,000.00, as evidenced by schedules from prior case of Debtors Jerry Wayne Pardue, Sr. and Linda Joy Pardue.

10. Relief from the Automatic Stay in the Bankruptcy Case of Jerry Wayne Pardue, Sr. and Linda Joy Pardue, in regard to the subject property described as **517 Gibbs Street, Plainfield, Indiana 46168**, and a true and correct copy of which is attached hereto as **Exhibit "C"**.

11. Secured Creditor alleges that it has not been provided with evidence that the property is currently insured, as required under the terms of the loan and has been forced to advance insurance on the property.

12. This Secured Creditor has elected to initiate foreclosure proceedings on the subject real property under its mortgage.

13. This Secured Creditor is precluded from proceeding to publish the necessary notices and to commence said foreclosure proceedings during the pendency of this Bankruptcy.

DATED: August 23, 2012

State of California
County of Humboldt

Julie Johnson

On August 23, 2012 before me, Carolyn Van Aalst, personally appeared Julie Johnson, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person(s), or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)

